

ASSEMBLY BILL

No. 160

Introduced by Assembly Member Portantino

January 19, 2011

An act to amend Sections 48800, 48800.5, 48802, and 76001 of the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 160, as introduced, Portantino. Concurrent enrollment in secondary school and community college.

Existing law authorizes the governing board of a school district to allow pupils whom the district has determined would benefit from advanced scholastic or vocational work to attend community college as special part-time students, subject to parental permission. Existing law makes the authority of a school principal to recommend a pupil for community college summer session contingent upon a determination that the pupil meets various criteria and prohibits the principal from recommending more than 5% of the total number of pupils from any particular grade level who completed that grade immediately prior to the time of recommendation for summer session attendance, except as specified.

This bill instead would authorize the governing board of a school district to enter into a partnership with a community college district to allow secondary school pupils to attend a community college during any session or term as a special part-time or full-time student and undertake one or more courses of instruction offered at the community college, subject to specified conditions. The bill would delete the existing law provisions regarding summer session. The bill would require the Chancellor of the California Community Colleges, on or

before January 1, 2012, and each year thereafter, to report to the Department of Finance and the Legislature the number of pupils who enroll in community college pursuant to these provisions, the courses these pupils enroll in, and the number of these pupils who receive a passing grade. The bill would prohibit a community college district from receiving an allowance or apportionment for an instructional activity for which a school district has been, or will be, paid.

The bill also would make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Campuses of the California Community Colleges are located
4 throughout California and provide an educational resource for all
5 communities.

6 (b) Existing law allows certain high school pupils to take classes
7 at community colleges. These pupils are known as special-admits
8 and the programs in which they participate are known as concurrent
9 enrollment programs. The main target of these programs is
10 advanced education and the work completed in them is primarily
11 defined as college-level work.

12 (c) Existing law imposes strict limits on concurrent enrollment
13 programs. Only five percent of the pupils in any high school class
14 may enroll in a community college during summer sessions. In
15 addition, the types of classes pupils may take pursuant to these
16 programs are generally limited to advanced education classes.

17 (d) A serious abuse of concurrent enrollment programs by a few
18 school districts and community college districts several years ago
19 resulted in statutory reform and restrictions on this type of
20 enrollment.

21 (e) The current restrictions inhibit the ability of school districts
22 and their pupils to make maximum use of community college
23 facilities and opportunities. The time has come to encourage and
24 expand these valuable programs, but with appropriate statutory
25 prohibitions to guard against a repeat of the abuses of the past.

26 (f) Allowing high school pupils to take community college
27 courses could provide benefits to pupils and to the state in

1 numerous ways, including more opportunities for advanced
2 scholastic work, career-technical partnerships and coursework,
3 basic skills remediation, preparation for the high school exit
4 examination, English as a second language, and dropout prevention.

5 (g) Exposure to college classes and the college environment
6 while in high school improves college participation rates.

7 (h) Concurrent enrollment saves money for both the state and
8 the pupils and provides for more effective use of facilities.

9 SEC. 2. Section 48800 of the Education Code is amended to
10 read:

11 48800. (a) *(1) The governing board of a school district may*
12 ~~determine which pupils would benefit from advanced scholastic~~
13 ~~or vocational work enter into a partnership with a community~~
14 ~~college district to provide secondary school pupils who have~~
15 ~~exhausted all opportunities to enroll in an equivalent course at~~
16 ~~the high school of attendance, adult education program,~~
17 ~~continuation school, regional occupational center or program, or~~
18 ~~any other programs offered by the local governing board with the~~
19 ~~opportunity to benefit from advanced scholastic or vocational~~
20 ~~work. scholastic, career-technical, or other coursework at a~~
21 ~~campus of the California Community Colleges.~~ The intent of this
22 section is to provide educational enrichment opportunities for a
23 limited number of eligible pupils, rather than to reduce current
24 course requirements of elementary and secondary schools, and
25 also to help ensure a smoother transition from high school to
26 college for pupils by providing them with greater exposure to the
27 collegiate atmosphere. ~~The governing board may authorize those~~
28 ~~pupils, upon recommendation of the principal of the pupil's school~~
29 ~~of attendance, and with parental consent, to attend a community~~
30 ~~college during any session or term as special part-time or full-time~~
31 ~~students and to undertake one or more courses of instruction offered~~
32 ~~at the community college level.~~ *atmosphere, and to maximize the*
33 *educational opportunities available to California's secondary*
34 *school pupils by encouraging programs and partnerships between*
35 *school districts and community college districts, including, but*
36 *not limited to, advanced scholastic, college-level, and*
37 *career-technical coursework, summer school opportunities, high*
38 *school exit examination preparation, English as a second language,*
39 *basic skills remediation, and dropout intervention.*

~~(b) If the governing board denies a request for a special part-time or full-time enrollment at a community college for any session or term for a pupil who is identified as highly gifted, the governing board shall issue its written recommendation and the reasons for the denial within 60 days. The written recommendation and denial shall be issued at the next regularly scheduled board meeting that falls at least 30 days after the request has been submitted.~~

(2) A secondary school pupil, may attend a community college during any session or term as a special part-time or full-time student and undertake one or more courses of instruction offered at the community college upon notification of the principal of the pupil's school of attendance that the pupil has exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other program offered by the local governing board, and with parental consent if the pupil is under 18 years of age.

~~(e)–~~

(b) A pupil shall receive credit for community college courses that he or she completes at the level determined appropriate by the governing boards of the school district and community college district.

~~(d) (1) The principal of a school may recommend a pupil for community college summer session only if that pupil meets all of the following criteria:~~

~~(A) Demonstrates adequate preparation in the discipline to be studied.~~

~~(B) Exhausts all opportunities to enroll in an equivalent course, if any, at his or her school of attendance.~~

~~(2) For any particular grade level, a principal shall not recommend for community college summer session attendance more than 5 percent of the total number of pupils who completed that grade immediately prior to the time of recommendation.~~

~~(3) A high school pupil recommended by his or her principal for enrollment in a course shall not be included in the 5-percent limitation of pupils allowed to be recommended pursuant to paragraph (2) if the course in which the pupil is enrolled meets one of the criterion listed in subparagraphs (A) to (C), inclusive, and the high school principal who recommends the pupil for enrollment provides the Chancellor of the California Community~~

1 Colleges, upon the request of that office, with the data required
2 for purposes of paragraph (4):

3 (A) The course is a lower division, college-level course for
4 credit that is designated as part of the Intersegmental General
5 Education Transfer Curriculum or applies toward the general
6 education breadth requirements of the California State University.

7 (B) The course is a college-level, occupational course for credit
8 assigned a priority code of "A," "B," or "C," pursuant to the
9 Student Accountability Model, as defined by the Chancellor of the
10 California Community Colleges and reported in the management
11 information system, and the course is part of a sequence of
12 vocational or career technical education courses leading to a degree
13 or certificate in the subject area covered by the sequence.

14 (C) The course is necessary to assist a pupil who has not passed
15 the California High School Exit Examination (CAHSEE), does
16 not offer college credit in English language arts or mathematics,
17 and the pupil meets both of the following requirements:

18 (i) The pupil is in his or her senior year of high school.

19 (ii) The pupil has completed all other graduation requirements
20 prior to the end of his or her senior year, or will complete all
21 remaining graduation requirements during a community college
22 summer session, which he or she is recommended to enroll in,
23 following his or her senior year of high school.

24 (4)–

25 (c) On or before March 1 of each year *January 1, 2012, and on*
26 *or before January 1 of each year thereafter*, the Chancellor of the
27 California Community Colleges shall report to the Department of
28 Finance the number of pupils recommended pursuant to paragraph
29 (3) *who enroll who enrolled in a community college summer*
30 *session courses and who receive pursuant to subdivision (a), the*
31 *courses that these pupils enrolled in, and the number of these*
32 *pupils who received a passing grade.* The information in this report
33 may be submitted with the report required by subdivision (c) of
34 Section 76002.

35 (5) The Board of Governors of the California Community
36 Colleges shall not include enrollment growth attributable to
37 paragraph (3) as part of its annual budget request for the California
38 Community Colleges.

1 ~~(6) Notwithstanding Article 3 (commencing with Section 33050)~~
2 ~~of Chapter 1 of Part 20 of Division 2 of Title 2, compliance with~~
3 ~~this subdivision shall not be waived.~~

4 ~~(e) Paragraphs (3), (4), and (5) of subdivision (d) shall become~~
5 ~~inoperative on January 1, 2014.~~

6 SEC. 3. Section 48800.5 of the Education Code is amended to
7 read:

8 48800.5. (a) A parent or guardian of a pupil, regardless of the
9 pupil's age or class level, may petition the governing board of the
10 school district in which the pupil is enrolled to authorize the
11 attendance of the pupil at a community college as a special
12 full-time student on the ground that the pupil would benefit from
13 ~~advanced scholastic or vocational work~~ *the instruction* that would
14 thereby be available. If the governing board denies the petition,
15 the pupil's parent or guardian may file an appeal with the county
16 board of education, which shall render a final decision on the
17 petition in writing within 30 days.

18 (b) A pupil who attends a community college as a special
19 full-time student pursuant to this section is exempt from
20 compulsory school attendance under Chapter 2 (commencing with
21 Section 46100) of Part 26.

22 (c) A parent or guardian of a pupil who is not enrolled in a public
23 school may directly petition the president of any community
24 college to authorize the attendance of the pupil at the community
25 college as a special part-time or full-time student on the ground
26 that the pupil would benefit from ~~advanced scholastic or vocational~~
27 ~~work~~ *the instruction* that would thereby be available.

28 (d) Any pupil authorized to attend a community college as a
29 special full-time student shall, nevertheless, be required to
30 undertake courses of instruction of a scope and duration sufficient
31 to satisfy the requirements of law.

32 (e) For purposes of allowances and apportionments from the
33 State School Fund, a community college shall be credited with
34 additional units of average daily attendance attributable to the
35 attendance of special full-time students at the community college.

36 SEC. 4. Section 48802 of the Education Code is amended to
37 read:

38 48802. (a) For purposes of allowances and apportionments
39 from Section B of the State School Fund, a community college
40 shall be credited with additional units of average daily attendance

1 attributable to the attendance of pupils at the community college
2 as special part-time students pursuant to this article and as set forth
3 in Section 76002.

4 (b) A school district whose pupils attend a community college
5 as special part-time students pursuant to this article shall, for
6 purposes of allowances and apportionments from Section A of the
7 State School Fund, continue to receive credit for attendance by
8 those pupils computed in the manner prescribed by law, and a
9 pupil's attendance at school for the minimum schoolday shall be
10 deemed a day of attendance for purposes of making the
11 computation.

12 (c) *A community college district shall not receive an allowance*
13 *or an apportionment for an instructional activity for which a school*
14 *district has been, or shall be, paid an allowance or an*
15 *apportionment.*

16 SEC. 5. Section 76001 of the Education Code is amended to
17 read:

18 76001. (a) The governing board of a community college district
19 may admit to any community college under its jurisdiction as a
20 special part-time or full-time student in any session or term any
21 student who is eligible to attend community college pursuant to
22 Section 48800 or 48800.5.

23 ~~(b) If the governing board denies a request for a special part-time~~
24 ~~or full-time enrollment at a community college for a pupil who is~~
25 ~~identified as highly gifted, the board shall record its findings and~~
26 ~~the reasons for denial of the request in writing within 60 days. The~~
27 ~~written recommendation and denial shall be issued at the next~~
28 ~~regularly scheduled board meeting that falls at least 30 days after~~
29 ~~the request has been submitted.~~

30 ~~(c)~~

31 (b) The attendance of a pupil at a community college as a special
32 part-time or full-time student pursuant to this section is authorized
33 attendance, for which the community college shall be credited or
34 reimbursed pursuant to Sections 48802 and ~~76002~~. *76002, provided*
35 *that no school district has received reimbursement for the same*
36 *instructional activity.* Credit for courses completed shall be at the
37 level determined to be appropriate by the school district and
38 community college district governing boards.

39 ~~(d)~~

1 (c) For purposes of this section, a special part-time student may
2 enroll in up to, and including, 11 units per semester, or the
3 equivalent thereof, at the community college.

4 ~~(e)~~

5 (d) The governing board of a community college district shall
6 assign a low enrollment priority to special part-time or full-time
7 students described in subdivision (a) in order to ensure that these
8 students do not displace regularly admitted students.

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